

**UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION**

**IN RE: CATERPILLAR, INC., C13 AND C15  
ENGINE PRODUCTS LIABILITY LITIGATION**

MDL No. 2540

(SEE ATTACHED SCHEDULE)

**CONDITIONAL TRANSFER ORDER (CTO -1)**

On June 11, 2014, the Panel transferred 4 civil action(s) to the United States District Court for the District of New Jersey for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. §1407. *See* F.Supp.2d (J.P.M.L. 2014). Since that time, no additional action(s) have been transferred to the District of New Jersey. With the consent of that court, all such actions have been assigned to the Honorable Jerome B Simandle.

It appears that the action(s) on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the District of New Jersey and assigned to Judge Simandle.

Pursuant to Rule 7.1 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the action(s) on the attached schedule are transferred under 28 U.S.C. §1407 to the District of New Jersey for the reasons stated in the order of June 11, 2014, and, with the consent of that court, assigned to the Honorable Jerome B Simandle.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the District of New Jersey. The transmittal of this order to said Clerk shall be stayed 7 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 7-day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is  
pending at this time, the  
stay is lifted.

**Jun 20, 2014**

CLERK'S OFFICE  
UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

FOR THE PANEL:



Jeffery N. Lüthi  
Clerk of the Panel

I HEREBY CERTIFY that the above and  
foregoing is a true and correct copy  
of the original on file in my office.

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY  
WILLIAM T. WALSH, CLERK

By   
Deputy Clerk

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ENGINE PRODUCTS LIABILITY LITIGATION**

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**SCHEDULE CTO-1 – TAG-ALONG ACTIONS**

<b><u>DIST</u></b>	<b><u>DIV.</u></b>	<b><u>C.A.NO.</u></b>	<b><u>CASE CAPTION</u></b>
CALIFORNIA CENTRAL			
CAC	2	14-03407	SMMercado, Inc. et al v. Caterpillar, Inc.
GEORGIA NORTHERN			
GAN	1	14-01317	Harmon Bros. Charter Services, Inc. et al v. Caterpillar, Inc.
MINNESOTA			
MN	0	14-01352	Scenic Boundaries Trans. Inc. v. Caterpillar, Inc.
NORTH CAROLINA MIDDLE			
NCM	1	14-00421	MCLEAN v. CATERPILLAR, INC.
UTAH			
UT	2	14-00323	Bagley v. Caterpillar
WISCONSIN EASTERN			
WIE	2	14-00567	GCSpecialized Carriers, LLC v. Caterpillar, Inc.